

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BELL ATLANTIC MOBILE OF)
MASSACHUSETTS CORPORATION,)
LTD. d/b/a VERIZON WIRELESS) Civil Action No. 14-CV-10431-RGS
)
Plaintiff,)
)
v.)
)
CITY OF CAMBRIDGE,)
MASSACHUSETTS; CITY OF)
CAMBRIDGE BOARD OF ZONING)
APPEAL; and CONSTANTINE)
ALEXANDER, TIMOTHY HUGHES,)
BRENDAN SULLIVAN, THOMAS)
SCOTT, JANET O. GREEN,)
DOUGLAS MYERS, SLATER W.)
ANDERSON, LINDSEY T. THORNE-)
BINGHAM, AND ANDREA A.)
HICKEY, as they are the Members and)
Associate Members of the City of)
Cambridge Board of Zoning Appeal,)
)
Defendants)
)
)

JOINT STATEMENT FOR A PROPOSED PRETRIAL SCHEDULE

Defendants City of Cambridge, Massachusetts (“Cambridge” or the “City”), the City of Cambridge Board Of Zoning Appeal, and Constantine Alexander, Timothy Hughes, Brendan Sullivan, Thomas Scott, Janet O. Green, Douglas Myers, Slater W. Anderson, Lindsey T. Thorne-Bingham, and Andrea A. Hickey, as they are Members and Associate Members of the City of Cambridge Board of Zoning Appeal (“Board Members”) (collectively with the City the “Defendants”) and Plaintiff Bell Atlantic Mobile of Massachusetts Corporation, LTD. d/b/a Verizon Wireless (“Plaintiff”) (collectively “Parties”) hereby submit this Joint Statement for a

Proposed Pretrial Schedule pursuant to the Electronic Order from the Court dated July 3, 2014, as follows:

1. The Parties have agreed to provide one another with their automatic disclosures by September 5, 2014 pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure.
2. From now until the time for filing Summary Judgment motions, the parties intend to explore avenues of settlement. Plaintiff's Summary Judgment motion, if any, shall be filed on or before January 12, 2015.
3. Defendants' Opposition to Plaintiff's Summary Judgment motion and/or cross-motion for summary judgment, if any, shall be filed on or before February 19, 2015.
4. The Parties respectfully request a hearing before the Court in April 2015, to serve either as oral argument for the summary judgment motions, or if no such motions are filed, as a final pre-trial conference.
5. Discovery Limits. The parties agree that they will not conduct discovery other than pursuant to Rule 26(a)(1).
6. Trial by Magistrate Judge. At this time, Plaintiff does not consent to trial by a Magistrate Judge.
7. Budget and Alternative Dispute Resolution. Counsel for the parties have conferred with their respective clients concerning establishing a budget for litigation and the use of alternative dispute resolution. Defendants cannot resolve the case through alternative dispute resolution because they cannot do so outside of a public hearing process. However, the Parties are willing to explore the settlement possibilities and have agreed to do so expeditiously. The Parties will file their certifications required pursuant to Local Rule 16.1(D)(3) under separate covers.

8. Modification of Schedule. All dates set forth herein may be modified by written agreement of the Parties and approval of the Court.

Dated: July 11, 2014.

PLAINTIFF BELL ATLANTIC
MOBILE OF MASSACHUSETTS
CORPORATION, LTD. d/b/a
VERIZON WIRELESS,

By its attorneys,

/s/Kendra L. Berardi
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DEFENDANTS CITY OF CAMBRIDGE,
MASSACHUSETTS; CITY OF CAMBRIDGE
BOARD OF ZONING APPEAL; and
CONSTANTINE ALEXANDER, TIMOTHY
HUGHES, BRENDAN SULLIVAN, THOMAS
SCOTT, JANET O. GREEN, DOUGLAS
MYERS, SLATER W. ANDERSON, LINDSEY
T. THORNE-BINGHAM, and ANDREA A.
HICKEY, as they are the Members and
Associate Members of the City of Cambridge
Board of Zoning Appeal,

By their Attorney,

/s/ Paul S. Kawai
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CERTIFICATE OF SERVICE

I, Kendra L. Berardi, hereby certify that a copy of the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those, if any, indicated as non-registered participants on this 11th day of July, 2014.

/s/ Kendra L. Berardi

Kendra L. Berardi